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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/653,801

09/03/2003

Terry G. Jones

HORS:008

4550

29395

7590

04/19/2006

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THE LAW FIRM OF H. DALE LANGLEY, JR. PC
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AUSTIN, TX 78703

EXAMINER

CHIN, RANDALL E

ART UNIT

PAPER NUMBER

1744

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/653,801

Applicant(s)

JONES ET AL.

Examiner

Randall Chin

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-17 is/are pending in the application.
- 4a) Of the above claim(s) 6-15 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5 is/are allowed.
- 6) ☒ Claim(s) 1,3,4,16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 3 is objected to because of the following informalities:

Claim 3 depends on itself.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Brock 1,555,630 (hereinafter Brock '630).

The patent to Brock '630 discloses a system for cleaning, comprising a handle 17 and a head 10 having a cleaning surface 11, connected to the handle, wherein the head is extendable to selectively widen the cleaning surface (see phantom lines in Fig. 2; p. 1, lines 13-19 and 57-89) and also contractable to selectively narrow the cleaning surface (see phantom lines in Fig. 2; p. 1, lines 13-19 and 57-89). Brock '630 is still deemed to meet the limitation "...to the limits of and within a range for the width of the cleaning surface from fully extended to fully contracted." (lines 6-7) since Brock's arrangement is similar to the swingable/pivotable construction of Applicant's invention as shown in Figs. 3, 4 and 5, for example.

4. Claims 1, 3, 4, 16 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Bailey 2,740,147 (hereinafter Bailey '147).

The patent to Bailey '147 discloses a system for cleaning (Figs. 1 and 2), comprising a handle 14 and a plate or head 16 having a cleaning surface defined by brush(es) 12, connected to the handle, wherein the head is extendable to selectively widen the cleaning surface (Fig. 1; col. 1, lines 25-30 and col. 2, lines 58-67) and also contractable to selectively narrow the cleaning surface (see phantom lines in Fig. 2; p. 1, lines 13-19 and 57-89). Bailey '147 is still deemed to meet the limitation "...to the limits of and within a range for the width of the cleaning surface from fully extended to fully contracted." (lines 6-7) since Bailey's arrangement is similar to the swingable/pivotable construction of Applicant's invention as shown in Figs. 3, 4 and 5, for example.

As for claim 3, there is a gear 36 connected to the handle 14 and operably connected to the head, so that a pivoting or twist of the handle 14 rotates the gear, wherein rotation of the gear selectively extends the head to selectively widen the cleaning surface (Fig. 1).

As for claim 4, the reverse rotation of the gear 36 selectively contracts the head to selectively narrow the cleaning surface.

As for claim 16, Bailey '147 teaches a system for cleaning in Figs. 1 and 2, comprising a handle 14, a **generally (a broad recitation) laterally disposed** (since it includes a pivoting arrangement as shown in Fig. 1) cleaning plate or head having a central portion 16 and dual extension portions 12, 12 connected to the handle (at least

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indirectly), wherein the dual extension portions of the cleaning head are pivotally connected at pivotal shaft 24 to the central portion of the cleaning head for extending generally laterally with respect to the central portion, and opposing asymmetric gears 36, 36, engagingly connected to the central portion and to respective ones of the dual extension portions (at least indirectly), to actuate respective ones of the dual extensions 12, 12 into laterally extended positions on opposing sides of the central portion in order to extend the cleaning head (Fig. 1; col. 1, lines 25-30 and col. 2, lines 58-67).

As for claim 17, the dual extension portions of the cleaning head are pivotally connected to the central portion of the cleaning head for contracting "generally laterally" (a broad recitation) with respect to the central portion after so extending "generally laterally" with respect to the central portion.

Allowable Subject Matter

5. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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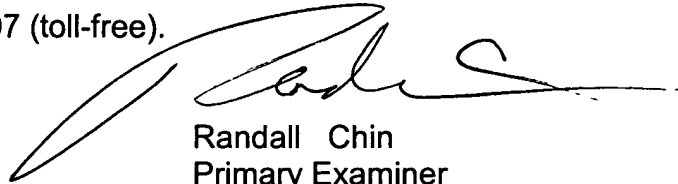
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randall Chin whose telephone number is (571) 272-1270. The examiner can normally be reached on Monday through Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Randall Chin', is positioned above the printed name and title.

Randall Chin
Primary Examiner
Art Unit 1744



1/8

*approved
PC*

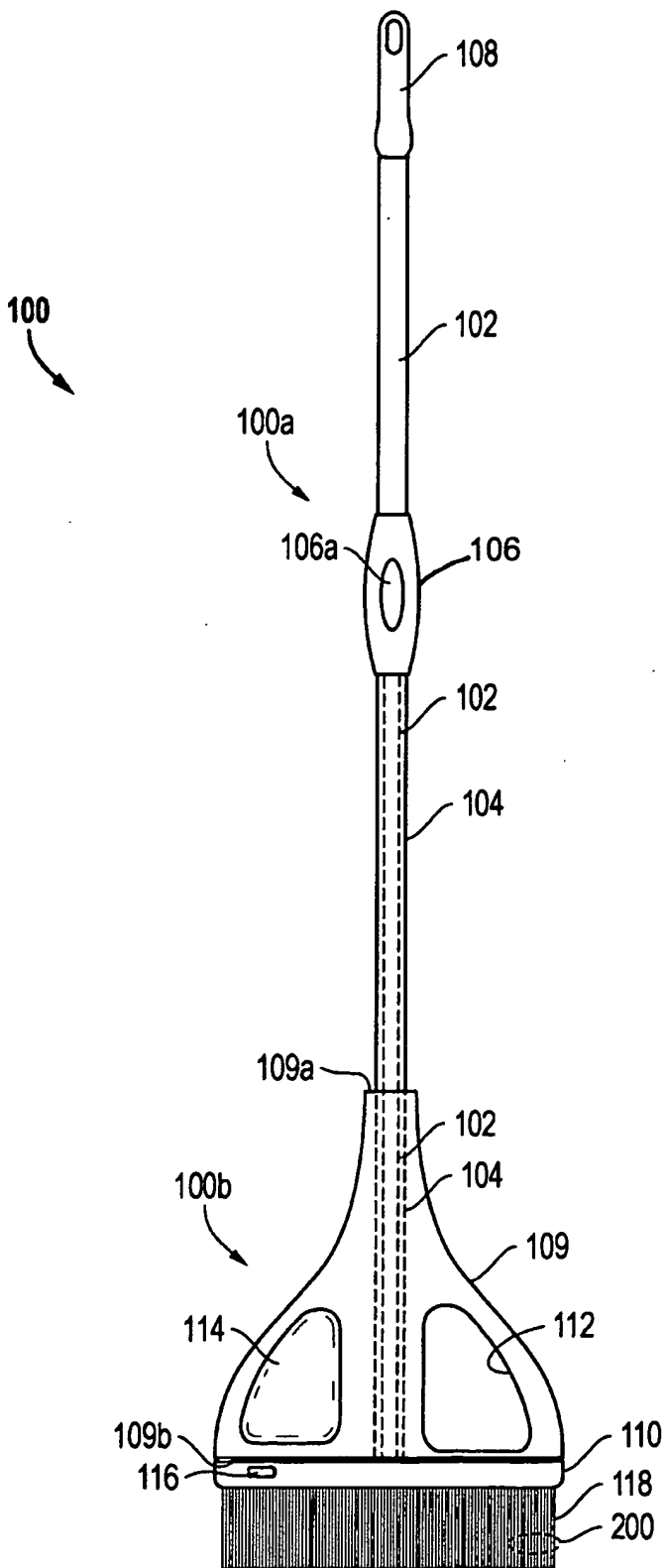


FIG. 1



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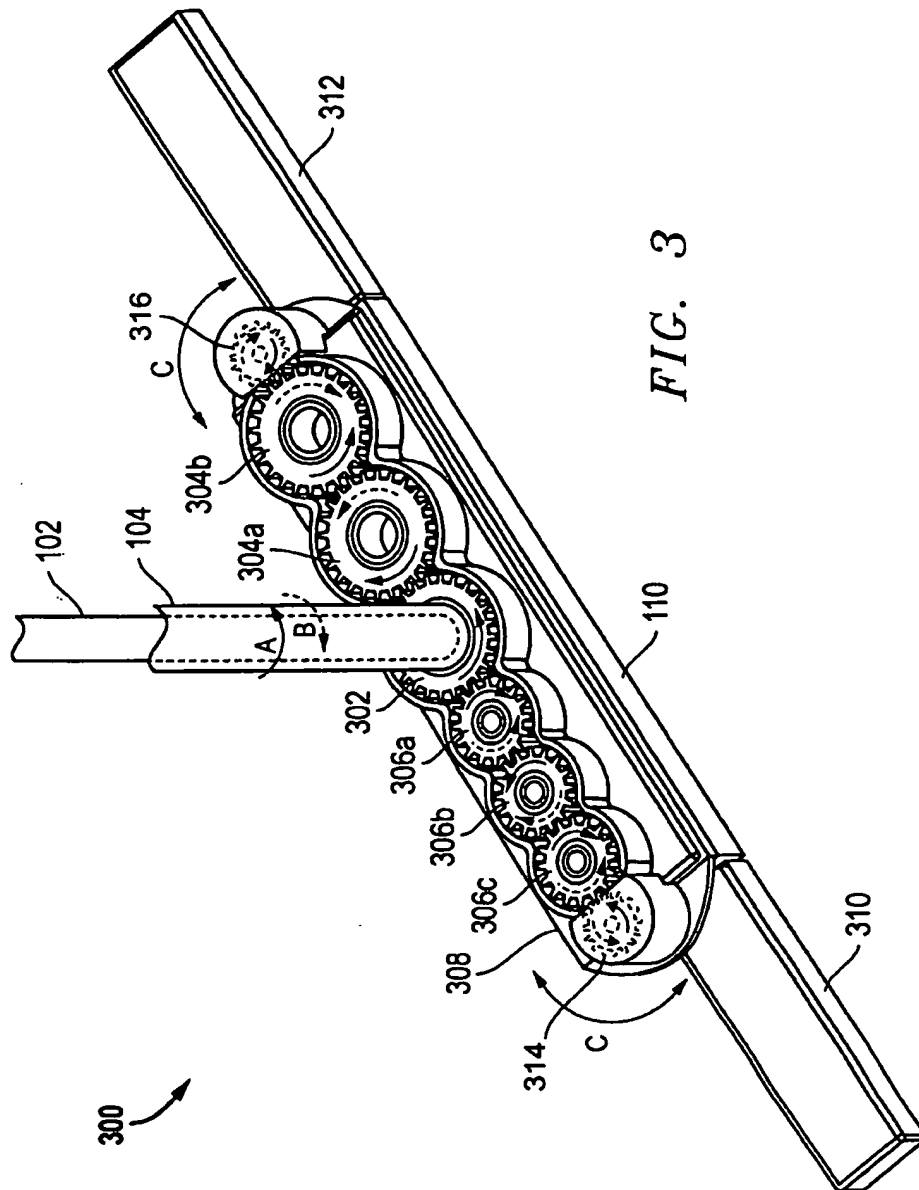




FIG. 4



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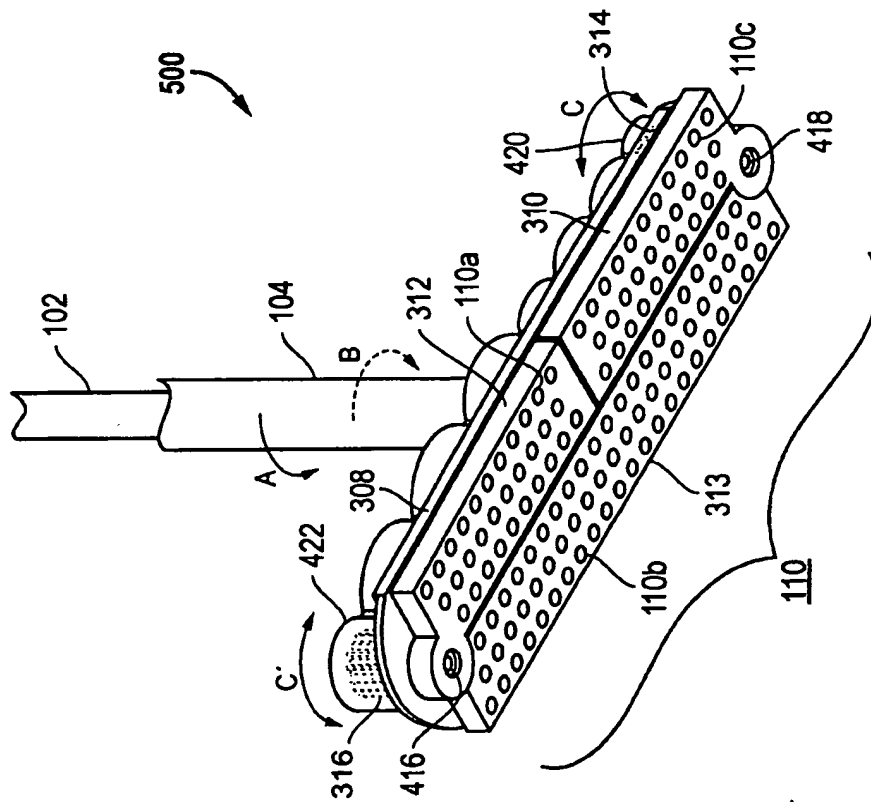


FIG. 5